

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CONSTELLATION NEWENERGY, INC., :

Plaintiff, :

v. :

POWERWEB TECHNOLOGIES, INC., :
A-VALEY ENGINEERS, INC. AND :
LOTHAR E.S. BUDIKE, JR., :

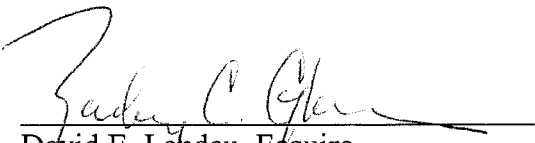
Defendants. :

Civil Action No. 02-CV-2733 (HB)

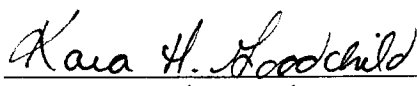
FILED MAY 13 2004

STIPULATION OF VOLUNTARY DISMISSAL

The parties, by their respective counsel, stipulate and agree, pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, that Counts II (against Powerweb) and Count III (against all defendants) of Constellation NewEnergy's Second Amended Complaint are dismissed without prejudice.


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Dated: May 12, 2004


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Dated: May 11, 2004